

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

PAUL HOLMAN and LUCY RIVELLO,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

APPLE, INC., AT&T MOBILITY LLC, and
DOES 1 through 50, inclusive.

Defendants

Case No. 07-CV-05152-JW

**[PROPOSED] ORDER GRANTING
DEFENDANTS MOTION TO
ENLARGE TIME TO ANSWER OR
OTHERWISE RESPOND TO
PLAINTIFFS COMPLAINT**

**Date: Not Scheduled
Time Not Scheduled
Judge: Honorable James Ware**

This matter comes before the Court on Defendants' Motion to Enlarge Time to Answer or Otherwise Respond to Plaintiffs' Complaint ("Motion to Enlarge Time"). Defendants seek additional time to answer, or otherwise respond, to plaintiffs' complaint because there is another action pending that raises similar issues of law and fact. The Court finds it would save time and costs related to litigation to align the two briefing schedules of the two matters.

The Court hereby GRANTS defendants Motion to Enlarge Time. Defendants may move, answer, or otherwise respond to plaintiffs' complaint, which was filed in this Court on

1 October 5, 2007, on or before December 21, 2007. If Defendants respond through motion,
2 plaintiffs' opposition to the motion shall be filed on January 31, 2008, defendants' reply brief(s)
3 shall be filed on February 11, 2008, and any such motions shall be set for hearing on February
4 25, 2008.

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6 **IT IS SO ORDERED.**

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9 Dated: _____

10 United States District Judge
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CERTIFICATE OF SERVICE

I, Alice Kelly, declare:

I am a citizen of the United States over the age of 18. I am employed at the law firm of Crowell & Moring LLP, 3 Park Plaza, 20th Floor, Irvine, California 92614-8505. I am not a party to or interested in the causes entitled on the documents to which this certificate of service relates.

I hereby certify that on **November 16, 2007**, I served the document described below as:

[PROPOSED] ORDER GRANTING DEFENDANTS MOTION TO ENLARGE TIME

on the interested parties in this action by placing a copy thereof, enclosed in a sealed envelope, at Irvine, California, addressed as follows:

SEE ATTACHED SERVICE LIST

- ☐ **BY REGULAR MAIL.** I caused such envelopes to be deposited in the United States mail, at Irvine, California with postage thereon fully prepaid, individually addressed to the parties as indicated above. I am readily familiar with the firm's practice of collection and processing correspondence in mailing. It is deposited with the United States postal service each day and that practice was followed in the ordinary course of business for the service herein attested to.
- ☐ **BY FACSIMILE TRANSMISSION.** I caused a true copy of the foregoing document(s) to be transmitted to the party listed above at the facsimile machine telephone number as last given by that person on any document which he or she has filed in this action and served upon this office.
- ☐ **BY FEDERAL EXPRESS.** I placed a true copy of the foregoing document in a sealed envelope or package designated by Federal Express with delivery fees paid or provided for, individually addressed to the party(s) as indicated on the attached service list, and caused such envelope(s) or package(s) to be delivered at Three Park Plaza, 20th Floor, Irvine, California 92614-8505, to an authorized courier or driver authorized by Federal Express to receive documents for overnight delivery.
- ☐ **BY HAND DELIVERY:** I caused such envelope(s) to be delivered by hand to the office of First Legal Support Services by hand to the offices of the addressee.
- ☒ **BY ELECTRONIC MAIL.** I caused a true copy of the foregoing document to be sent via electronic mail in .PDF format, pursuant to agreement between the parties listed on the attached service list.
- ☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this Court, at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this **16th day of November 2007**, at Irvine, California.

/s/ Alice Kelly
ALICE KELLY

SERVICE LIST

Paul Holman and Lucy Rivello v. Apple, Inc., AT&T Mobility LLC
Case No. 07-cv-05152-JW

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